

**Board of Chiropractic Examiners**

2525 Natomas Park Drive, Suite 260  
Sacramento, California 95833-2931  
Telephone (916) 263-5355 FAX (916) 263-5369  
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**NOTICE OF PUBLIC MEETING****Continuing Education Committee**

**September 4, 2008**

**Upon Adjournment of the Licensing Committee  
2525 Natomas Park Drive, Suite 100  
Sacramento, CA 95833**

**AGENDA****CALL TO ORDER****Approval of Minutes**

- April 24, 2008

**Public Comment****Discussion and Possible Action**

- Process to Review and Approve Continuing Education Courses

**Discussion and Possible Action**

- Update on the Draft Proposal to Amend the Continuing Education Regulations

**Public Comment****Future Agenda Items****ADJOURNMENT****CONTINUING EDUCATION COMMITTEE**

Richard Tyler, D.C., Chair  
Hugh Lubkin, D.C.

**The Board of Chiropractic Examiners' paramount responsibility is to protect California consumers from the fraudulent, negligent, or incompetent practice of chiropractic care.**

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A quorum of the Board may be present at the Committee meeting. However, Board members who are not on the committee may observe, but may not participate or vote. Public comments will be taken on agenda items at the time the specific item is raised. The Committee may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at [www.chiro.ca.gov](http://www.chiro.ca.gov).

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The meeting is accessible to the physically disabled. If a person needs disability-related accommodations or modifications in order to participate in the meeting, please make a request no later than five working days before the meeting to the Board by contacting Marlene Valencia at (916) 263-5355 ext. 5363 or sending a written request to that person at the Board of Chiropractic Examiners, 2525 Natomas Park Drive, Suite 260, Sacramento, CA 95833. Requests for further information should be directed to Ms. Valencia at the same address and telephone number.

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## **BOARD OF CHIROPRACTIC EXAMINERS MEETING MINUTES**

### **Continuing Education Committee**

**April 24, 2008**

**2525 Natomas Park Drive, Ste. 120  
Sacramento, CA 95833**

#### **Committee Members**

Richard Tyler, D.C., Chair  
Hugh Lubkin, D.C.

#### **Staff Present**

Brian Stiger, Executive Officer  
LaVonne Powell, Senior Staff Counsel  
Genie Mitsuvara, Senior Staff Analyst

#### **Call to Order**

Dr. Tyler called the meeting to order 9:37a.m.

#### **Roll Call**

Dr. Lubkin called the roll. All committee members were present.

#### **Approval of Minutes**

November 1, 2007

**DR. LUBKIN MOVED TO APPROVE THE NOVEMBER 1, 2007, MINUTES. DR. TYLER  
SECONDED THE MOTION. VOTE 2-0 MOTION CARRIED.**

#### **Proposed and Approval Process for the Continuing Education Provider**

Mr. Stiger informed the committee that the Bureau of State Audits found the current process of approving of Continuing Education Providers is inconsistent with the Board's regulations.

Mr. Stiger recommended that the Board amend section 356.5, which would remove the interpretation that the Board must approve the Continuing Education Providers.

**DR LUBKIN MOVED TO REQUEST THAT STAFF PRESENT A PROPOSAL FOR THE MODIFICATION OF THAT REGULATION AND PRESENT IT AT THE NEXT BOARD MEETING. DR TYLER SECONDED. VOTE 2-0 MOTION CARRIED.**

## **PUBLIC COMMENT**

Dr. Davis expressed his approval of the removal of the sentence in the regulations section 356.5.

Dr. Kendra Holloway, Life Chiropractic College West, referred to section 365.5A that she felt needed to be addressed.

### **Approval by Ratification of Formally Approved Continuing Education Providers**

Dr. Tyler referred to a list of formerly approved continuing education providers.

**DR LUBKIN MOVED THAT THE COMMITTEE RATIFY THE APPROVAL OF CONTINUE EDUCATION PROVIDERS. DR. TYLER SECONDED THE MOTION. VOTE 2-0 MOTION CARRIED.**

### **Proposal to Increase Required Continuing Education hours form 12 to 24 hour annually**

Dr. Tyler asked if anyone would discuss the increase of continuing education hours from 12 to 24.

Dr. Charles Davis, International Chiropractic Association (ICAC), presented statistics of other states and California is at the low end of requirements and that they are in favor of the increase of continuing education hours.

Dr. Lubkin asked the value of that a provider sees in doing the 48/50 every two years verses every year and he pointed out that this would be a proposed mortification of California code regulation 356 of the first paragraph would need to be changed.

Ms. Powell expressed concern that moving to a two year requirement with an annual renewal system would be problematic for Board staff.

Kristine Schultz, California Chiropractic Association, supports an increase to 24 hours as long as twelve of those hours could be done via distance learning.

Dr. Lubkin asked legal staff if the board would have to incorporate the distance learning into the regulation have or would the Board have the discretion through staff to make the determination of what percentage would be distance learning.

Dr. Lubkin expressed his concern about the security aspect of distance learning.

Dr. Tyler expressed his opposition to distance learning.

Ms. Powell informed the Board would need to have a comprehensive continuing education package for restructuring of the regulations.

Dr. Lubkin requested that the public provide written information to the Executive Officer in regards to the security measures for on-line continuing education courses.

Mr. Stiger proposed establishing a working group to present a comprehensive proposal to the committee to amend the continuing education regulations and the committee agreed.

Mr. Stiger invited the public to contact the Board office via e-mail if they wanted to be included in the working group to propose the comprehensive re-write of the continuing education.

Dr. Brian Porteous would like to acknowledge the CCA and ICCA for coming up with categories and expressed his concern with the security issues of distance learning. He expressed concern about the distance learning courses being approved by the Radiological Health Branch. Dr. Porteous informed the committee that the Radiological Health Branch believes these courses are approved by the Board.

Dr. Ray Weltch stated he is the only one who has been providing distance learning for the disabled. Dr. Welch explained to the committee his process of distance learning and that he has them sign under perjury that they have watched the seminar. They also request a written letter from their physician. Dr. Weltch opposes the increase in continuing education. Dr. Weltch opposes the increase in continuing education hours.

Dr. Richard Thornton recommended that the Board return to the 50 minute hour.

Dr. Carlye Brakensiek, California Society of Industrial Medicine, is interested in participating in the working group and shared his positive experience with distance learning. He also expressed support for the proposals set forth from CCA and ICAC.

### **Proposal to Approve On-line Continuing Education Courses**

Mr. Paul Powers was not present to make his presentation on this subject.

### **Petition to Appeal the Denial of Continuing Education Course**

The petitioner was not present to appeal to the committee.

### **Public Comments**

Dr. Porteous acknowledged the excellent work of Genie Mitsuara.

### **Future Agenda Items**

Dr. Lubkin would like to institute a goal of auditing 10% the continuing education courses on an annual basis.

Dr. Lubkin would like the staff to retrieve information concept fast tracking certain entities such as associations, schools and Pace providers. He would also like to add Pace as a provider.

Dr. Lubkin would like the committee review accepting other professions continuing education courses for chiropractic doctors to receive credit.

## **Adjournment**

Dr. Tyler adjourned the meeting at 10:42 a.m.

DRAFT

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**Memorandum**

**Date:** August 28, 2008

**To:** Continuing Education Committee  
Board of Chiropractic Examiners

**Via:**   
Brian Stiger  
Executive Officer

**From:** John Melendez   
Licensing and Continuing Education

**Subject:** Continuing Education Approval Process

This memorandum is intended to describe the current Continuing Education Course approval process.

Within 21 days of receipt, the Licensing Analyst completes a comprehensive review of the documentation submitted by the approved continuing education course provider.

During the initial phase of the review, the Licensing Analyst ensures the following required documents and information have been received:

- Course Syllabi
- Completed Course Application
- Hour By Hour Course Outline
- Course Dates and Locations
- Brochure-Promotional Materials
- Sample Certificate of Completion
- Instructors and Corresponding Hours of Instruction
- Number of Continuing Education Hours Requested

Throughout the initial phase of the evaluation process, the Licensing Analyst verifies the accuracy and consistency of the information provided.

During the second phase of the evaluation process, the Licensing Analyst utilizes all available resources to perform a detailed analysis of the course content in order to

ensure that the course information to be presented is fully consistent with established chiropractic scope of practice parameters. In the event a question or concern arises during this phase, the Licensing Analyst may consult with a licensed chiropractor for clarification. The consultation and clarification methodology has been further enhanced through the availability and utilization of fully vetted and trained chiropractic experts.

Following completion of the evaluation process, the Licensing Analyst provides written notification of course approval or denial. Should a course be denied, the provider is fully advised of the established appeal process.

There appear to be numerous benefits to the current continuing education approval process when compared to the previous process. These benefits include the following:

- The establishment of a timely appeal process which allows the provider to present an appeal to the Executive Officer.
- An expedited approval process resulting in a sixty-five percent reduction in approval process time when compared to the prior process (i.e. 21 days versus 60 days).
- Substantial reduction of the pre-course course submission timeframe as provider course submission is no longer required to be completed 30 days prior to the Board meeting.
- A significant reduction in staff time previously devoted to the completion of committee worksheets and written rationale for course approval, denial or reduction of approved hours; as well as the resources required to copy-mail course applications and attachments to Committee Members for review.
- The Continuing Education Committee is no longer burdened with performing an extensive and time consuming review process thereby allowing the devotion of additional time to establishing continuing education policy.
- Alleviation of potential conflict of interest issues upon appeal to the Board.
- Elimination of the previously required provision of handouts and lecture notes by providers

Since the implementation of the revised approval process approximately one year ago, there has been no evidence that a continuing education course has been inappropriately approved.

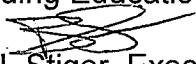
Moreover, the appeal process has been effective in resolving disputed course denials. Of the four appeals received and heard by the Executive Officer, two resulted in course approval while the remaining two appeals resulted in confirmed denials. There have been no appeals beyond the Executive Officer level to date.

# MEMORANDUM



**Date:** August 28, 2008

**To:** Continuing Education Committee

**From:**   
Brian J. Stiger, Executive Officer

**Subject:** Continuing Education

This provides the Continuing Education Committee a brief update on the Continuing Education Project.

Following the last Continuing Education Committee meeting on April 24, 2008, we established a diverse work group comprised of individuals representing professional associations, chiropractic colleges, and continuing education providers, doctors of chiropractic, and board staff to reform the Board's continuing education (CE) program.

The work group plans to complete its initial re-write of the chiropractic regulations within the next few weeks and submit a comprehensive regulatory package to the Board at the September meeting. The work group's proposed recommendations include but are not limited to the following:

- Increase the CE hours from the current 12 to the proposed 24
- Permit licensees to earn up to 12 hours of CE through distance learning courses
- Allow licensees to choose from a menu of courses contained in four different categories
- Establish 50 minute hour to allow course providers the flexibility to schedule break times as appropriate
- Calculate application fees based the number of CE hours requested

The work group will be meeting on September 9, 2008, in Sacramento to resolve a few outstanding issues and finalize the recommendations. A final draft will be presented to the committee by September 19, 2008.

If you have any questions regarding this project, please feel free to contact me at your earliest opportunity.